

KOSTELANETZ LLP

7 WORLD TRADE CENTER, 34TH FLOOR
NEW YORK, NY 10007

WASHINGTON, D.C. OFFICE
601 NEW JERSEY AVENUE, NW, SUITE 260
WASHINGTON, D.C. 20001

TEL: (202) 875-8000
FAX: (202) 844-3500

TEL: (212) 808-8100
FAX: (212) 808-8108

www.kflaw.com

September 30, 2024

VIA ECF

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *In re Customs and Tax Administration of the Kingdom of Denmark*
(*Skatteforvaltningen*) Tax Refund Scheme Litigation, No. 18-md-02865-LAK

Dear Judge Kaplan:

Defendants write to respectfully withdraw the September 26, 2024 letter motion (ECF No. 1203) seeking leave to file under seal Exhibits 102, 145, and 147 to Defendants Richard Markowitz and John van Merkensteijn's Offer of Proof Regarding Advice of Counsel (ECF No. 1204).

Each of the above-enumerated Exhibits contains excerpts of deposition testimony that had been designated "Confidential" pursuant to the Revised Amended Stipulated Protective Order Governing Confidentiality of Discovery Materials in this multi-district litigation (No. 18-md-2865, ECF No. 489). As of September 30, 2024, counsel for the deponents have withdrawn the confidentiality designations entirely for all excerpted portions of the testimony. Accordingly, defendants withdraw their prior motion.

Respectfully submitted,

/s/ Nicholas S. Bahnsen

Nicholas Bahnsen

Cc: All counsel of record (Via ECF)